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HDP/SB/21 based on PTO/SB/21 (08-00)

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/767,818
	<b>Filing Date</b>	January 29, 2004
	<b>First Named Inventor</b>	Cathcart et al.
	<b>Group Art Unit</b>	3747
<b>Examiner Name</b>	unknown	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 705811US1

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) 3 sheets Formal Replacement  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Response To Notice To File Missing Parts; Copy of Notice To File Missing Parts; original Executed Declaration; and return receipt postcard</b>
<b>Remarks</b>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm or Individual name</b>	DaimlerChrysler Intellectual Capital Corporation	<b>Attorney/Agent Name</b> Edwin W. Bacon, Jr.	<b>Reg. No.</b> 39,098
<b>Signature</b>			
<b>Date</b>	7/14/04		

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
<b>Typed or printed name</b>	Susan J. Sidwell		
<b>Signature</b>		<b>Date</b>	July 14, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2001**

JUL 16 2004

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) 130**Complete if Known**

Application Number 10/767,818

Filing Date January 29, 2004

First Named Inventor Cathcart et al.

Examiner Name unknown

Group / Art Unit 3747

Attorney Docket No. 705811US1

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

03-1800

Deposit  
Account  
Name

DaimlerChrysler Intellectual Capital Corporation

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status.
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

**2. EXTRA CLAIM FEES**

Total Claims		-	=	Extra Claims	0	X	Fee from below		=	Fee Paid	0
Independent Claims		-	=	0	X				=	0	
Multiple Dependent					X					0	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 130)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type) Edwin W. Bacon, Jr. Registration No. Attorney/Agent 39,098 Telephone 248-944-6526

Signature

Date

7/14/04

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney Docket No: 705811US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Cathcart et al.	)	
		)	
Serial No.:	10/767,818	)	
		)	<b>RESPONSE TO NOTICE</b>
Filed:	January 29, 2004	)	<b>TO FILE MISSING PARTS</b>
		)	<b>OF APPLICATION -</b>
Art Unit:	3747	)	<b>FILING DATE GRANTED</b>
		)	
Examiner:	Unknown	)	
		)	
For:	IMPROVED NOISE MANAGEMENT	)	
	SYSTEM FOR REDUCING AIRBORNE	)	
	AND STRUCTURE BORNE NOISE OF A	)	
	VEHICLE EXHAUST SYSTEM	)	

CERTIFICATE OF MAILING (37 CFR 1.8)

Date of Deposit with U.S. Postal Service: 7/14/2004 I hereby certify that this Response is being deposited with the U.S. Postal Service as first class mail under 37 CFR 1.8 on the date indicated above, addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan J. Sidwell  
NAME OF PERSON MAILING PAPER

*Susan J. Sidwell*  
SIGNATURE

MS Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


In response to the Notice to File Missing Parts of Application - Filing Date Granted, mailed June 17, 2004, enclosed herewith is the duly executed Declaration and Power of Attorney, along with a copy of said Notice. Also enclosed are three (3) sheets Formal Drawings (Replacement).

The Examiner is authorized to charge the \$130.00 surcharge to Deposit Account 03-1800.

Serial No. 10/767,818  
Page 2

Applicants have calculated no additional fee to be due in connection with this response. However, if the Examiner determines that any additional fee is due, applicants authorize the Examiner to charge any such fee to Deposit Account 03-1800.

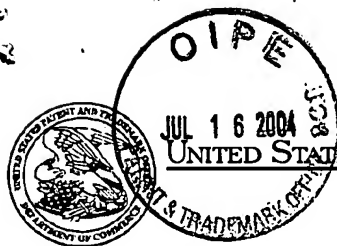
Very truly yours,

 7/14/04  
Edwin W. Bacon, Jr.  
Reg. No. 39,098

DaimlerChrysler Intellectual Capital Corporation  
CIMS 483-02-19  
800 Chrysler Drive East  
Auburn Hills, MI 48326-2757  
(248) 944-6526

Enclosures

IFW/\$



JUL 16 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,818	01/29/2004	John D. Cathcart	705811US1

CONFIRMATION NO. 5634

## FORMALITIES LETTER



\*OC000000012983577\*

Edwin W. Bacon, Jr.  
 DaimlerChrysler Intellectual Capital Corporation  
 CIMS 483-02-19  
 800 Chrysler Drive  
 Auburn Hills, MI 48326-2757

Date Mailed: 06/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)). See Figure(s) 3, FIG 3 is mentioned in drawing description of specification, but there is no fig 3, however fig 4 is in drawing sheets.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity


- \$130 Late oath or declaration Surcharge.

07/19/2004 WASFAW1 00000072 031800 10767818  
 01 FC:1051 130.00 DA

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE